Atty. Dkt. No. 053466-0201 GP 1642

p#36

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tadmitsu KISHIMOTO et al.

Title: PHARMACEUTICAL COMPOSITION FOR TREATMENT OF DISEASES CAUSED BY IL-6 PRODUCTION

Appl. No.: 08/817,507

Filing Date: 04/17/1997

Examiner: Karen A. CANELLA

Art Unit: 1642

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Michael D. Kaminski

Date October 15, 2002

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PTO/SB/08 (08-00)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Date Submitted: October 15, 2002

(use as many sheets as necessary)

Sheet	1	of	1

Complete if Known	
Application Number	08/817,507
Filing Date	04/17/1997
First Named Inventor	KISHIMOTO et al.
Group Art Unit	1642
Examiner Name	Karen A. CANELLA
Attorney Docket Number	053466-0201

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	U.S. Patent Document Number	U.S. Patent Document Kind Code[2] (*if known*)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Office[3]	Number[4]	Kind Code[5] (*if known*)	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
	A1	EP	0 409 607	A2	KISHIMOTO	01/23/1991		
	A2	FR	2 694 767	A1	INNOTHERAPIE LABORATORIES	02/18/1994		
	A3	EP	0 413 908	A2	YEDA RESEARCH AND DEVELOPMENT LTD.	02/27/1991		
	A4	WO	92/19759	A1	CHUGAI PHARMACEUTICAL CO. LTD.	11/12/1992		
	A5	EP	0 628 639	A1	CHUGAI SEIYAKU KABUSHIKI KAISHA	12/14/1994		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[6]
	A6	BECK et al., "Brief Report: Alleviation of Systemic Manifestations of Castleman's Disease By Monoclonal Anti-Interleukin-6 Antibody", The New England Journal of Medicine, March 3, 1994, Vol. 330, No. 9, pages 602-605.	
	A7	EMILIE et al., "Administration of an Anti-Interleukin-6 Monoclonal Antibody to Patients With Acquired Immunodeficiency Syndrome and Lymphoma: Effect on Lymphoma Growth and on B Clinical Symptoms", Blood, October 15, 1994, Vol. 84, No. 8, page 2472-2479.	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Unique citation designation number. [2]See attached Kinds of U.S. Patent Documents. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6]Applicant is to place a check mark here if English language Translation is attached.